

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 09-20580

HON. LAWRENCE P. ZATKOFF

v.

D-1 CARLOS GRANA,  
D-2 DWIGHT ARMSTRONG,  
D-3 PRICE MARSHALL,

Defendants.

---

**ORDER**

AT A SESSION of said Court, held in the  
United States Courthouse, in the City of Port Huron,  
State of Michigan, on the 1<sup>ST</sup> day of February, 2010

PRESENT: THE HONORABLE LAWRENCE P. ZATKOFF  
UNITED STATES DISTRICT JUDGE

On January 27, 2010, the parties filed a Stipulation for Continuance and Finding of Excludable Delay in this case. The Court has reviewed the parties' Stipulation and finds it deficient for the following reasons. First, the parties give but a single, bare-bones reason (*i.e.*, the need to "exchange and review voluminous discovery material") for seeking an adjournment of scheduled dates that would constitute excludable delay. Under applicable law, including without limitation, *United States v. Zedner*, 126 S. Ct. 1976 (2006), and *United States v. Tinklenberg*, 579 F.3d 589 (6th Cir. 2009), that bare-bones reason is insufficient to justify or support this Court granting a continuance and/or excluding the requested four-month continuance for purposes of the Speedy Trial Act, 18 U.S.C. § 3161. Second, the parties have proposed alternative dates that do not comport with the Court's calendar. Any proposed dates must be coordinated with and determined acceptable by

the Court through its case manager.

Accordingly, for the foregoing reasons, the Court DENIES the parties Stipulation for Continuance and Finding of Excludable Delay.

IT IS SO ORDERED.

S/Lawrence P. Zatkoff  
LAWRENCE P. ZATKOFF  
UNITED STATES DISTRICT JUDGE

Dated: February 1, 2010

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on February 1, 2010.

S/Marie E. Verlinde  
Case Manager  
(810) 984-3290